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The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DORAL BANK PUERTO RICO, on Behalf of
Itself and All Others Similarly Situated,

Plaintiff,

v.

WASHINGTON MUTUAL ASSET
ACCEPTANCE CORPORATION; DAVID
BECK; DIANE NOVAK; THOMAS
LEHMANN; STEPHEN FORTUNATO;
DONALD WILHELM WAMU CAPITAL
CORPORATION; MOODY'S INVESTORS
SERVICES, INC.; THE MCGRAW-HILL
COMPANIES, INC.; FIRST AMERICAN
CORPORATION and FIRST AMERICAN
EAPPRAISEIT, LLC,

Defendants.

Case No.: C09-1557 (MJP)

**NOTED FOR HEARING:
March 18, 2010, 10:00 a.m.**

**DECLARATION OF STEVEN J. TOLL IN FURTHER SUPPORT OF DORAL BANK
PUERTO RICO'S MOTION FOR APPOINTMENT OF LEAD PLAINTIFF AND
APPROVAL OF SELECTION OF LEAD COUNSEL AND IN FURTHER OPPOSITION
TO THE COMPETING MOTION SUBMITTED BY THE GREATER
PENNSYLVANIA CARPENTERS PENSION FUND**

**DECLARATION OF STEVEN J. TOLL i/f/s/o/
DORAL BANK'S MOTION FOR LEAD PLAINTIFF
No. C09-1557-MJP**

4898/002/233033.1

TOUSLEY BRAIN STEPHENS PLLC
1700 Seventh Avenue, Suite 2200
Seattle, Washington 98101-1332
TEL. 206.682.5600 • FAX 206.682.2992

1
2 I, Steven J. Toll, swear as follows:
3

4 1. I am the Managing Partner of the law firm of Cohen Milstein Sellers & Toll
5 PLLC ("Cohen Milstein"), counsel of record for Doral Bank Puerto Rico ("Doral Bank"). I
6 make this declaration in further support of the motion of Doral Bank for Appointment as Lead
7 Plaintiff and Approval of its Selection of Lead Counsel and in opposition to the competing
8 motion submitted by the Greater Pennsylvania Carpenters Pension Fund. I have personal
9 knowledge of the matters stated herein and, if called upon, I could and would competently testify
10 thereto.

11 2. Attached are a true and correct copy of the following exhibit:

12 Exhibit A: Highlighted Excerpt from WaMu Mortgage Pass-Through
13 Certificates, Series 2007-OA5, Form 424B5 Prospectus
14 Supplement, May 22, 2007, representing that virtually all of the
15 loans underlying the Offerings were issued in 2006 and 2007.

16 3. I declare under penalty of perjury under the laws of the United States of America
17 that the foregoing is true and correct.

18 Executed this 16th day of March, 2010, at Washington, D.C.
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**DECLARATION OF STEVEN J. TOLL i/f/s/o/
DORAL BANK'S MOTION FOR LEAD PLAINTIFF
No. C09-1557-MJP**

4898/002/233033.1

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all the registered users of the CM/ECF system for this case.

/s/ Nancy A. Pacharzina,
Kim D. Stephens, P.S., WSBA #11984
Email: kstephens@tousley.com
Nancy A. Pacharzina, WSBA # 25946
Email: npacharzina@tousley.com
Counsel for Plaintiffs
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Fax: 206.682.2992

**DECLARATION OF STEVEN J. TOLL i/f/s/o/
DORAL BANK'S MOTION FOR LEAD PLAINTIFF
No. C09-1557-MJP**

No. C09-155A
4898/002/233033.1

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